

ASSEMBLY BILL

No. 3008

Introduced by Assembly Member Villines

February 22, 2008

An act relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 3008, as introduced, Villines. School districts: state mandates: suspension.

Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on a local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions.

Existing law provides that no local agency or school district is required to implement or give effect to a statute or Executive order, or portion thereof that imposes a mandate during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if specified conditions are met, including that the statute or executive order, or portion thereof, has been specifically identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. This provision does not apply to a state-mandated local program for which the reimbursement funding counts toward the minimum funding obligation of the state for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Existing law identifies certain mandates that a school district is not required to implement and requires the Department of Finance to notify school districts of those mandates.

This bill would state the intent of the Legislature to enact legislation to suspend the requirement that school districts comply with a state mandate in a year in which the annual Budget Act does not appropriate funding to allow a school district to comply with the mandate.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation to suspend the obligation of school districts to comply
- 3 with a state mandate in a year in which the annual Budget Act does
- 4 not appropriate funding to allow a school district to comply with
- 5 the mandate.